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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/582,830	09/21/2000	Paavo Hyvarinen	1313/1G310-U	2592

7590 07/31/2003  
Darby & Darby  
805 Third Avenue  
New York, NY 10022-7513

EXAMINER

TAWFIK, SAMEH

ART UNIT	PAPER NUMBER
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3721

DATE MAILED: 07/31/2003

18

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/582,830

Applicant(s)

HYVARINEN ET AL.

Examiner

Sameh H. Tawfik

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 19 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 12-18 and 26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-18 and 26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 17.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12-18-22  
Claims ~~12, 15-17~~ and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gebhardt (5,205,808) in view of Focke et al. (5,052,995).

Gebhardt discloses a method of packaging a web comprising slitting a web to form a slit web of two or more narrower webs (Fig. 1; via 18); folding the slit web into superimposed layers (Figs. 2 and 5); directing the slit web to move with the first and second rotating reels (via 100) a length of a predetermined rotational angle to provide folding of the narrower webs by holding the two or more narrower webs alternatively against surfaces of the first and second rotating reels (Figs. 2 and 5); directing the web to a nip formed by first and second rotating reels and at least one of the mechanical gripper projection extending outwardly (Fig. 2 via 38 and Fig. 5) to interfold the bags and to achieve stronger and sharper folds on the web (column 3, lines 23 and 24). Gebhardt does not disclose that joining ends of the webs together. However, Focke discloses similar method of packaging a web with joining ends of the webs together (Fig. 6).

Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Gebhardt's method of packaging a web by having the step of joining ends of the webs together, as suggested by Focke, in order to run continuous web of material in a plurality of connected stacks (column 1, lines 62-68).

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Regarding claim 15: Gebhardt discloses that the step of holding the two or more narrower webs alternatively against surfaces of the first and second rotating reels comprises holding the webs against the surfaces of the reels by mechanical engagement of the web by means disposed on the surfaces of the reels (Figs.5; via finger 104)

Regarding claim 16: Gebhardt discloses that the means comprises at least one mechanical gripper (via finger 104) and at least one projection extending outwardly from a periphery of the first and second rotating reels (Fig. 5).

Regarding claim 17: Gebhardt discloses the step of holding the two or more narrower webs comprises holding the webs against the surfaces of the first and second rotating reels by mechanical engagement of the web by suction using underpressure (Figs. 2 and 5).

Regarding claims 13, 14 and 18: Gebhardt does not disclose exactly that the slit web are joined together by joining a forward/tall end of an outermost web to a forward/tall end of next adjacent web by sewing, taping, gluing,...etc. However, Focke discloses that the slit web are joined together by joining a forward/tall end of an outermost web to a forward/tall end of next adjacent web ~~and/or it would have been an obvious matter of design choice to have modified~~

G. ~~Shore's~~ web by having the two or more narrower webs are joined together by joining a forward/tall end of an outermost web to a forward/tall end of next adjacent web ~~by sewing, taping, gluing, etc.~~, since applicant has not disclosed that the two or more narrower webs are joined together by joining a forward/tall end of an outermost web to a forward/tall end of next adjacent web by sewing, taping, gluing,...etc solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with having the webs sub-

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divided by longitudinally extending as disclosed by <sup>F.</sup>Shore and keep them connected by portions 18 (Figs. 1, 5, and 6).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sameh H. Tawfik whose telephone number is (703) 308-2809. The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rada, Rinaldi can be reached on (703) 308-2187. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3579 for regular communications and (703) 308-7769 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

ST.  
July 29, 2003



**EUGENE KIM  
PRIMARY EXAMINER**